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July 9, 2020

BY ECF

Honorable James L. Garrity, Jr.
United States Bankruptcy Judge
United States Bankruptcy Court
Southern District of New York
One Bowling Green
New York, NY 10004

Re: Orly Genger, Case No. 19-13895-jlg

Dear Judge Garrity:

I write briefly in reply to Mr. Dellaportas' response to my letter to the Court yesterday in which I requested a hearing at the Court's earliest convenience. Mr. Dellaportas' response only confirms that his egregious conduct warrants severe sanctions to address violations of Court orders and my privacy rights.

Among other things, in his response, Mr. Dellaportas ignores the provision of the Protective Order that forbids him, absent further court order, from sharing my premarital agreement with anyone, and also requires that "the redacted portions of the motion to dismiss brief making reference [to the premarital agreement] shall remain redacted." Protective Order § 3(e).

Moreover, Mr. Dellaportas' explanation for why he intentionally provided Orly's testimony regarding the specific terms of the premarital agreement to all parties defies logic. He admits that the Protective Order prohibits the dissemination of the premarital agreement or its content, but claims that he can freely share the testimony about the specific terms of the premarital agreement with the parties because the Chapter 7 Trustee supposedly asked for it in discovery (in reality, the Trustee agreed to the restriction in the Protective Order, and has made clear on multiple occasions that she does not want the information). That of course is not the proper procedure for responding to a discovery request for information covered by a protective order (or, in this case, multiple protective orders).

I am prepared to further address these and all of the other meritless arguments Mr. Dellaportas raises in his letter. I thank the Court again for its attention to this matter.

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Respectfully submitted,

/s/ Eric Herschmann

cc: All Counsel of Record (by ECF)